

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND)	
COMPOUNDING PHARMACY, INC.)	
PRODUCTS LIABILITY LITIGATION)	
)	
v.)	MDL No. 13-md-2419-RW
)	
This Document Relates to:)	
All Cases)	
)	

**DEFENDANT LIBERTY INDUSTRIES, INC.'S
NOTICE OF VOLUNTARY WITHDRAWAL FROM MEDIATION PROGRAM**

Defendant, Liberty Industries, Inc. ("Liberty") voluntarily withdraws from the mediation program in which it has engaged with the Plaintiffs' Steering Committee, Committee of Unsecured Creditors, and the Chapter 11 Trustee pursuant to Paragraph II.P. of the Order on Mediation Program [Dkt. No. 394] ("Mediation Order"). Liberty reports that the parties have reached an impasse in the mediation. Liberty will take all necessary steps to defend the claims asserted against it and seek contribution and indemnity from responsible parties.

Respectfully submitted,

LIBERTY INDUSTRIES, INC.,
By its attorneys,

/s/ Peter G. Hermes

Peter G. Hermes, BBO No. 231840
phermes@hermesnetburn.com
Scott S. Spearing, BBO No. 562080
sspearing@hermesnetburn.com
Dianne E. Ricardo, BBO No. 675586
dricardo@hermesnetburn.com
HERMES, NETBURN, O'CONNOR
& SPEARING, P.C.
265 Franklin Street, 7th Floor
Boston, MA 02110
(617) 728-0050 (T)
(617) 728-0052 (F)

Dated: June 13, 2014

CERTIFICATE OF SERVICE

Pursuant to Local Rules 5.2(b)(2) and 5.4 of the Local Rules of the United States District Court for the District of Massachusetts, I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that paper copies will be sent by first-class mail to those indicated as non-registered participants, if any, on June 13, 2014.

/s/ Peter G. Hermes
Peter G. Hermes

G:\DOCS\DER\Cases\Great American\Liberty Industries\Pleadings & Motions\Terminate Mediation\Notice of Withdrawal from Mediation 6.13.14.docx